

REMARKS

Applicant has considered the outstanding official action. It is respectfully submitted that the claims are directed to patentable subject matter as set forth below.

Claims 18, 20 and 22 are objected to based on the following stated informalities: (1) claim 18 recites the element of "*a mobile device comprising a single mobile handset device including a biometric sensor, a NFC transceiver*"; (2) claim 20 recites the element of "*a method comprising processing and transferring through a NFC transceiver in a mobile handset device*"; and (3) claim 22 recites the element of "*a mobile device including a biometric sensor, a NFC transceiver*". This language does not appear in the referenced claims as quoted by the Examiner. As such, applicant is unclear regarding what the Examiner is objecting to as the informalities in these claims. However, applicant believes that the Examiner is asking for clarification on the relationship between some components of the invention as claimed including, the relationship of the biometric sensor and the NFC transceiver to the mobile handset device and the mobile device. Applicant submits that the invention may be claimed in

multiple ways which vary in scope and arrangement of components as reflected in these claims. The components of applicant's invention may be present in various arrangements, including as claimed in claims 18, 20 and 22. More particularly, support is found in the clean substitute specification filed July 21, 2008 for claim 18, including at page 13, paragraph 00026, pages 30-31, paragraph 00077, page 49, paragraph 000136, and pages 63-64, paragraph 000180; for claim 20, including at page 9, paragraph 00015, and pages 65-66, paragraph 000183; and for claim 22, including at pages 29-30, paragraph 00075, pages 30-31, paragraph 00077, page 49, paragraph 000136, and pages 63-64, paragraph 000180. Withdrawal of the objection based on the above or clarification of what is objected to is requested.

Claims 13-17 are rejected under 35 U.S.C. §112, second paragraph, as having insufficient antecedent basis for the limitation "said handset device" in claims 13 and 17. Claims 13 and 17 have been amended to clarify this element. Withdrawal of the §112 rejection is requested.

The sole rejection based on art is of claims 13-31 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 7,471,199 B2 (Zimmerman).

Claims 13, 18, 20 and 22 are the pending independent claims. Claim 13 claims a mobile device for carrying out transaction applications. The mobile device comprises a single mobile handset device including a biometric sensor adapted for direct evaluation of a control function to obtain access on an interactive Internet or mobile phone portal. The biometric sensor is activatable by a preselected personal trait. The mobile handset device further includes multiple transceivers, wherein at least one of the multiple transceivers is a Near Field Communication transceiver, and a software manager to evaluate the control function against a predetermined list which controls use of the single mobile handset device as an electronic universal key for remote applications over the transceivers including tracking, opening or locking locks, reading and describing active transponders, direct payment functions for electronic cash or payment, process of services and obtaining information.

Claim 18 claims a mobile device for carrying out transaction applications comprising a single mobile handset device; at least one Near Field Communication transceiver adapted to process and transfer at least one of payment, access-control, active transponders and air-lock

identifications, each being cleared on a preselected account on a server by direct or indirect Global System For Mobile Communications or interactive Internet link; and optional extension kit.

Claim 20 claims a method for carrying out transaction applications comprising processing and transferring through a Near Field Communication transceiver in a mobile handset device at least one of a payment, access-control, active transponders and air-lock identification, following clearance on a preselected account on a server by direct or indirect Global System For Mobile Communications or interactive Internet link.

Claim 22 claims an All In One Remote Key device comprising a mobile device including a biometric sensor. The biometric sensor evaluates at least one of an access, a code, a number, a password, an identification, an authentication, an authorization or a control function. The All In One Remote Key device further comprises at least one first transaction transceiver operating via Near Field Communication and optionally at least one second transaction transceiver operating via one of Global System For Mobile Communications, Bluetooth, Wireless Local Area Network, Ultra-Wideband, or Infrared Data Association. The All In

One Remote Key device further optionally comprises at least one of a memory, a display, a key pad, a microphone, a high speaker, a central processing unit, a computer, an accumulator, a solar-panel, and a camera, which mechanically or electronically interfaces with the at least one first transaction transceiver via a radio transmission. The at least one first transaction transceiver is adapted to transfer at least one of a transaction, an application or information from an account server to the mobile device or from a first mobile device to a second mobile device.

Applicant respectfully submits that Zimmerman does not teach each and every element of the claimed devices or methods and, thus, does not anticipate the claims within the meaning of 35 U.S.C. §102.

More specifically, Zimmerman discloses a mobile key using a radio frequency identification (RFID) transponder (tag) with a memory which holds a secure access code. An authorization status for a person or item associated with the mobile key is determined by interrogating the mobile key using an RFID interrogation field. The mobile key provides security information such as an identifier code, access code, physical measurements data,

or biometric data. The mobile key may also include a wireless communication device.

Zimmerman teaches transmission via the RFID tag in the mobile key. Zimmerman does not teach a mobile device having a Near Field Communication (NFC) transceiver as claimed in each of applicant's independent claims. Zimmerman does not disclose the use of one or more NFC transceivers or NFC protocols as claimed. Rather, Zimmerman only discloses the use of RFID tags.

On page 4 of the official action, the Examiner states that element 212 is applicant's NFC transceiver. However, element 212 is an antenna which is connected to RFID chip 206. Antenna 212 is stated to function according to known RFID standards. (See column 7, lines 29-31). Thus, antenna 212 is not a NFC transceiver as claimed.

Therefore, Zimmerman does not teach a mobile handset device with one or more Near Field Communication transceivers as claimed. Accordingly, Zimmerman does not teach each and every element of the invention as claimed and thus, does not anticipate the invention as claimed within the meaning of 35 U.S.C. §102. Withdrawal of the §102 rejection is respectfully requested.

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Reconsideration and allowance of the claims are
respectfully urged.

Respectfully submitted,

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